



10/15/01

10-18-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Docket No. A-68990-3/RFT/RMS/RMK

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application: 09/945,150

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL
NUMBER EL890441456US

DATE OF DEPOSIT 10-15-01

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXP
MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR
ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX
PATENT APPLICATION, ASSISTANT COMMISSIONER FOR PATENT
WASHINGTON, DC 20231.

TYPED NAME Darryl Kriner

SIGNED

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
- ☐ Continuation
- ☐ Divisional
- ☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Bassil I. Dahiyat, (Los Angeles, CA) and Anton FILIKOV, (Monrovia, CA) for DESIGN AND DISCOVERY OF PROTEIN BASED TNF- α VAIRANTS FOR THE TREATMENT OF TNF- α RELATED DISORDERS.

This ☐ continuation ☐ divisional ☒ continuation-in-part claims priority to pending application Serial No. 09/945,150, filed on August 31, 2001.

1. (a) ☐ Enclosed is a new application.
- (b) ☒ Enclosed is a continuation-in-part application.
- (c) ☐ Enclosed is a copy of the prior application.
- (d) ☒ Enclosed is a Notification of Processing and Retention Fee Filing in Parent.
- (e) ☒ Enclosed is a copy of the Communication for Filing of Processing and Retention Fee Under 37 C.F.R. §1.21(l) in the parent application, Serial No. 09/945,150.

2. (a) ☐ Enclosed is a new Declaration.
 (b) ☐ Enclosed is a copy of the prior executed Declaration and Power of Attorney for Patent Application as originally filed.
 (c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
 (b) ☐ A Small Entity Affidavit is of record in the prior application.

4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE	FEE	OTHER THAN A SMALL ENTITY OR RATE	FEE
FOR:						
BASIC FEE				\$370	OR	\$740
TOTAL CLAIMS	-20 = *		x9 = \$		OR x 18 = \$	
INDEP CLAIMS	-3 = *		x40 = \$		OR x 80 = \$	
] MULTIPLE DEPENDENT CLAIM PRESENTED			+140 = \$		OR +280 = \$	
If the difference in Col. 1 is less			TOTAL	\$	OR TOTAL	\$

than zero, enter "0" in Col. 2.

5. ☒ The Commissioner is hereby **NOT** authorized to charge any additional fees which may be required, including extension fees, or credit overpayment to Deposit Account No. 06-1300.
6. ☒ No check is enclosed.
7. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:

--This is a ☐ continuation ☐ division ☒ continuation-in-part of application Serial No. 09/945,150, filed August 31, 2001, and 09/798,789 filed March 2, 2001, which claims the benefit of 60/186,427 filed March 2, 2000.

9. (a) X Informal drawings are enclosed, 14 sheets.
(b) Formal drawings are enclosed, sheets.

10. (a) X Priority of application Serial No. 60/186,427 filed on March 2, 2000 in The United States of America is claimed under 35 U.S.C. 119/120.

(b) _____ The certified copy has been filed in prior application
Serial No. _____ filed on _____.

11. _____ An Assignment is enclosed.

12. _____ The prior application is assigned of record to _____

13. _____ A Power of Attorney by Assignee is enclosed.

14. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

(name)

Suite 3400, Four Embarcadero Center

(address)

San Francisco, California 94111-4187

(a)___ The power appears in the original papers in the prior application.

(b) _____ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c)___ Address all future communications to:

Robin M. Silva, Esq.

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco, California 94111-4187

Telephone: (415) 781-1989

15. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. _____ A Prior Art Statement is enclosed.

17. _____ I hereby verify that the attached papers are a true duplicate
of prior application Serial No. _____ as originally
filed on _____.

Date: October 11, 2001

Renee M. Kossalak, Reg No. 47,717 for
Robin M. Silva, Reg. No. 38,304

Address of Signer: _____ X Attorney or agent of record

ELEHR HOHBACH TEST _____ Filed under Section 1.34(a)

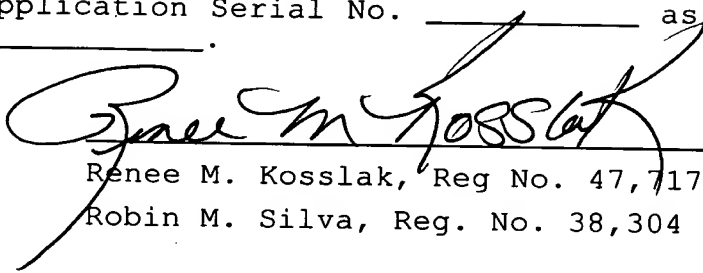
ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco, California 94111-4187

17. _____ I hereby verify that the attached papers are a true duplicate
of prior application Serial No. _____ as originally
filed on _____.

Date: October 15, 2001



Renee M. Kosslak, Reg No. 47,717 for
Robin M. Silva, Reg. No. 38,304

Address of Signer: _____ X Attorney or agent of record

FEHR HOHBACH TEST _____ Filed under Section 1.34(a)

ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco, California 94111-4187

PATENT

Attorney Docket No.: A-68990-3/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAHIYAT, et al.

Serial No. TO BE ASSIGNED

Filed: HEREWITH

For: DESIGN AND DISCOVERY OF
PROTEIN BASED TNF- α VARIANTS
FOR THE TREATMENT OF TNF- α
RELATED DISORDERS

Examiner: To Be Assigned

Art Unit:

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EL890441456US date of deposit 10-15-01. I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: The Assistant Commissioner of Patents, BOX PATENT APPLICATION, Washington, DC 20231.

SIGNED


Darryl Kriner

NOTIFICATION OF PROCESSING AND RETENTION
FEE FILING IN PARENT

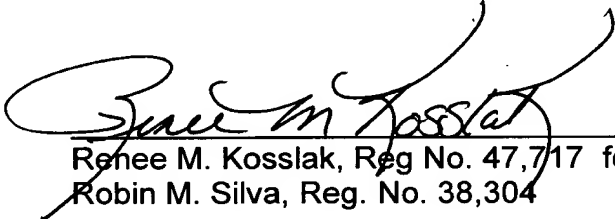
Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231
Sir:

Filed herewith is notification that a processing and retention fee pursuant to 37 C.F.R. §1.21(l), was filed in parent application, U.S. Serial No. 09/945,150, filed August 31, 2001, of which the above-captioned application is a continuing application. The processing and retention fee was filed to retain the filing date of the parent application, U.S. Serial No. 09/945,150, in the current continuation-in-part application pursuant to 37 C.F.R. §1.53(d). Accordingly, under 37 C.F.R. §1.53(d),

Serial No.: Not Assigned
Filed: HERewith

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68990-3/RFT/RMS/RMK).

Respectfully submitted,
FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP


Renee M. Kosslak, Reg No. 47,717 for
Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989

Dated: October 15, 2001

1064752

09931239 - 401501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAHIYAT, et al.

Serial No.: 09/945,150

Filed: August 31, 2001

For: Design and Discovery of Protein Based TNF- α Variants for the Treatment of TNF- α Related Disorders

Examiner: To Be Assigned

Group Art Unit:

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX AF, Washington, DC 20231 on October 15, 2001

Signed:

Mary McFarland

COMMUNICATION FOR FILING OF
PROCESSING AND RETENTION FEE UNDER 37 C.F.R. §1.21(I)

Assistant Commissioner for Patents
BOX AF
Washington, DC 20231

Sir:

This Communication is notification that a processing and retention fee pursuant to 37 C.F.R. §1.21(l) is being submitted for the pending application. The processing and retention fee are filed to retain the filing date of the present application, U.S. Serial No. 09/945,150, for the purpose of filing a continuing application as outlined in 37 C.F.R. §1.53(f) and §1.78(a).

The Commissioner is authorized to charge any additional fees which may be required, or other relieve that may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. A-68990-2/RFT/RMS/RMK).

Respectfully submitted,
FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Renee M. Kosslak, Reg No. 47,717 for